

AMENDED IN ASSEMBLY APRIL 21, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2384**

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**Introduced by Assembly Member Bradford**

February 21, 2014

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An act to ~~amend Sections 52852 and 52853~~ add Chapter 11.5 (commencing with Section 52780) to Part 28 of Division 4 of Title 2 of, and to repeal Chapter 12 (commencing with Section 52800) of Part 28 of Division 4 of Title 2 of, the Education Code, relating to ~~school plans; schoolsite councils.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2384, as amended, Bradford. ~~School plans; schoolsite~~ Schoolsite councils.

*Under existing law, the School-Based Program Coordination Act, which is applicable only to school districts and schools that participate in school-based coordinated categorical programs, is established to provide flexibility to coordinate categorical funds. The act requires a school that participates in school-based program coordination to establish a schoolsite council, and requires the schoolsite council to establish a school plan that includes, among other things, curricula, instructional strategies, and materials responsive to the individual needs and learning styles of each pupil, and proposed expenditure of funds received through various categorical programs.*

*Existing law, enacted in 2013, revised provisions of the public school financing system, and requires state funding for schools to be calculated pursuant to a local control funding formula, and authorizes local educational agencies to expend for any local educational purpose funds previously required to be spent for various categorical education*

programs. Existing law requires the governing board of each school district to adopt a local control and accountability plan that includes, among other things, a description of the annual goals to be achieved for each of the state priorities identified pursuant to specified provisions.

This bill would repeal the School-Based Program Coordination Act, and would instead authorize any school to establish a schoolsite council. The bill would specify that schoolsite councils operating pursuant to the School-Based Program Coordination Act may continue in existence and operate pursuant to the bill's provisions. The bill would enact provisions relating to the functions, composition, and duties of a schoolsite council that are similar, but not identical, to the provisions in the School-Based Program Coordination Act.

~~(1) Existing law requires a schoolsite council to be established at a school that participates in school-based program coordination. Existing law requires the council to be composed of the principal and representatives of teachers, other school personnel, parents, and in secondary schools, pupils, as specified.~~

~~This bill would add representatives of members of the community focused on education and representatives of local service providers working at the schoolsite, selected by the principal or the other members the schoolsite council, to a schoolsite council. The bill would authorize the schoolsite council or the governing board of the school district to expand the composition of a schoolsite council based on the operational structure of the school. The bill would require the governing board of the school district to set term limits for members of a schoolsite council, except for the principal.~~

~~(2) Existing law requires, at the elementary level, a schoolsite council to be constituted to ensure parity between (A) the principal, classroom teachers, and other school personnel and (B) parents or other community members selected by parents, and, at the secondary level, existing law requires a schoolsite council to be constituted to ensure parity between (A) the principal, classroom teachers, and other school personnel and (B) parents, or other community members selected by parents, and pupils.~~

~~This bill would remove community members from the parity calculations.~~

~~(3) Existing law provides that an employee of a school who is also a parent or guardian of a pupil who attends a school other than the school of the parent's or guardian's employment, is not disqualified by virtue of this employment from serving as a parent representative on~~

the schoolsite council established for the school that his or her child or ward attends.

This bill would prohibit an employee of a school who is also a parent or guardian of a pupil who attends a school from serving as a member of the schoolsite council at the school that the employee's child or ward attends. The bill would authorize the employee to serve on a schoolsite council at another school.

(4) Existing law requires a schoolsite council to develop a school plan that includes, among other things, instructional and auxiliary services to meet the special needs of non-English-speaking or limited-English-speaking pupils, including instruction in a language these pupils understand, educationally disadvantaged pupils, gifted and talented pupils, and pupils with exceptional needs.

This bill would, among other things, add low-income pupils and pupils in foster care to that list. The bill would require the school plan to also include mechanisms to ensure that the objectives in the school district's local control and accountability plan are being adhered to. The bill would also require the governing board of a school district to ensure that schoolsite council members receive adequate training to implement the objectives contained in the school district's local control and accountability plan and existing provisions of law.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Chapter 11.5 (commencing with Section 52780)  
2     is added to Part 28 of Division 4 of Title 2 of the Education Code,  
3     to read:

4  
5                     CHAPTER 11.5. SCHOOLSITE COUNCILS

6  
7     52780. Parent advisory committees and schoolsite councils  
8     operating pursuant to Chapter 12 (commencing with Section  
9     52800), as that chapter existed on January 1, 2014, may continue  
10    in existence in accordance with the provisions of this chapter.

11    52781. (a) A schoolsite council may be established at any  
12    school in accordance with this chapter. A schoolsite council shall  
13    include, but is not limited to, representatives from the following  
14    groups:

1     (1) *Teachers, to be selected by teachers at the school.*

2     (2) *School employees other than teachers, to be selected by*  
3 *nonteaching school employees at the school.*

4     (3) *Parents of pupils attending the school, to be selected by*  
5 *parents of pupils at the school.*

6     (4) *Community organizations that have a preexisting working*  
7 *relationship with the schoolsite, that participate at the schoolsite,*  
8 *and that are focused on the educational outcomes of the school,*  
9 *to be selected by the principal and other schoolsite council*  
10 *members selected pursuant to this section.*

11     (5) *In secondary schools, pupils, to be selected by pupils*  
12 *attending the school.*

13     (b) *The schoolsite council or the governing board of the school*  
14 *district may expand the composition of a schoolsite council based*  
15 *on the operational structure of the school, in accordance with the*  
16 *following:*

17     (1) *For an elementary school, the schoolsite council shall be*  
18 *composed to ensure parity between the following two groups:*

19     (A) *The principal, classroom teachers, and other school*  
20 *employees. Classroom teachers shall comprise the majority of*  
21 *persons from this group. To the extent possible, the school shall*  
22 *ensure that at least one classified employee is part of this group.*

23     (B) *Parents.*

24     (2) *For a secondary school, the schoolsite council shall be*  
25 *composed to ensure parity between the following two groups:*

26     (A) *The principal, classroom teachers, and other school*  
27 *employees. Classroom teachers shall comprise the majority of*  
28 *persons from this group. To the extent possible, the school shall*  
29 *ensure that at least one classified employee is part of this group.*

30     (B) *An equal number of parents and pupils. To the extent*  
31 *possible, the school shall ensure that socioeconomically*  
32 *disadvantaged pupils, foster youth, and English learners are*  
33 *represented on the schoolsite council.*

34     (c) *Members selected pursuant to paragraph (4) of subdivision*  
35 *(a) shall not be included for purposes of ensuring parity pursuant*  
36 *to paragraphs (1) and (2) of subdivision (b).*

37     52782. *A schoolwide advisory group or a school support group*  
38 *may also be used as a schoolsite council, in accordance with the*  
39 *provisions of this chapter.*

1     52783. *The Superintendent shall provide several examples of*  
2 *selection and replacement procedures that may be considered by*  
3 *schools site councils.*

4     52784. *The governing board of a school district shall set term*  
5 *limits for schoolsite council members other than the principal.*

6     52785. *A schoolsite council shall maximize public input and*  
7 *other means of advancing a democratic process.*

8     52786. *A school employee who is also a parent or guardian*  
9 *of a pupil who attends another school in the school district may*  
10 *serve on the schoolsite council of the school of his or her*  
11 *employment as a teacher or other school employee representative.*  
12 *The school employee may also serve on the schoolsite council of*  
13 *the school that his or her child or ward attends as a parent*  
14 *representative.*

15     52787. (a) *A school district operating a schoolsite council*  
16 *shall provide training to members of the schoolsite council on both*  
17 *of the following:*

18     (1) *Budget and funding.*

19     (2) *Implementing the objectives contained in the school district's*  
20 *local control and accountability plan and other laws.*

21     (b) *The school district shall also provide information on the*  
22 *schools site council selection process to the general public.*

23     52788. (a) *A schoolsite council shall develop a school plan*  
24 *that includes, but is not limited to, all of the following:*

25     (1) *Curricula, instructional strategies, and materials that*  
26 *address the individual needs and learning styles of each pupil.*

27     (2) *Instructional and auxiliary services to meet the special needs*  
28 *of the following pupils:*

29     (A) *Pupils of limited English proficiency, including instruction*  
30 *in a language these pupils understand.*

31     (B) *Educationally disadvantaged pupils.*

32     (C) *Pupils eligible for free or reduced-price meals.*

33     (D) *Foster youth.*

34     (E) *Gifted and talented pupils.*

35     (F) *Pupils with exceptional needs.*

36     (3) (A) *A staff development program for teachers, other school*  
37 *employees, paraprofessionals, and volunteers, including those*  
38 *participating in special programs. Staff development programs*  
39 *may include the use of program guidelines that have been*

1 *developed by the Superintendent for specific learning disabilities,*  
2 *including dyslexia, and other related disorders.*

3 *(B) The strategies included in the guidelines and instructional*  
4 *materials that focus on successful approaches for working with*  
5 *pupils who have been exposed to drugs or alcohol prenatally,*  
6 *suffered trauma, as well as other at-risk pupils, may also be*  
7 *provided to teachers.*

8 *(4) Ongoing evaluation of the educational program of the*  
9 *school.*

10 *(5) Other activities and objectives, as established by the*  
11 *schools site council.*

12 *(6) The proposed expenditure of funds available to the school,*  
13 *including, but not limited to, salary and staff benefits, and funds*  
14 *available to the school through federal programs, including, but*  
15 *not limited to, the federal Improving America's Schools Act of*  
16 *1994 (20 U.S.C. Sec. 6301 et seq.).*

17 *(7) Mechanisms to ensure that the objectives in the school*  
18 *district's local control and accountability plan are being met.*

19 *(b) The schoolsite council shall annually review the school plan,*  
20 *establish a new budget, and, if necessary, make other modifications*  
21 *in the school plan to reflect changing needs and priorities.*

22 *52789. The governing board of the school district shall review*  
23 *and approve or disapprove school plans. A school plan shall not*  
24 *be approved unless it was developed and recommended by the*  
25 *schools site council. If a plan is not approved by the governing board*  
26 *of the school district, specific reasons for that action shall be*  
27 *communicated to the schoolsite council. Modifications to any*  
28 *school plan shall be developed, recommended, and approved or*  
29 *disapproved in the same manner.*

30 *SEC. 2. Chapter 12 (commencing with Section 52800) of Part*  
31 *28 of Division 4 of Title 2 of the Education Code is repealed.*

32 ~~*SECTION 1. Section 52852 of the Education Code is amended*~~  
33 ~~*to read:*~~

34 ~~*52852. (a) A schoolsite council shall be established at each*~~  
35 ~~*school that participates in school-based program coordination. The*~~  
36 ~~*council shall, at a minimum, be composed of the principal and*~~  
37 ~~*representatives of the following:*~~

38 ~~*(1) Teachers selected by teachers at the school, other school*~~  
39 ~~*personnel selected by other school personnel at the school, parents*~~

1 of pupils attending the school selected by the parents, and, in  
2 secondary schools, pupils selected by pupils attending the school.

3 (2) ~~Community members focused on education and local service~~  
4 ~~providers working at the schoolsite selected by the principal or the~~  
5 ~~schoolsite council members selected pursuant to paragraph (1):~~

6 (b) ~~The schoolsite council or the governing board of the school~~  
7 ~~district may expand the composition of a schoolsite council based~~  
8 ~~on the operational structure of the school:~~

9 (e) (1) ~~At the elementary level the schoolsite council shall be~~  
10 ~~constituted to ensure parity between: (A) the principal, classroom~~  
11 ~~teachers, and other school personnel; and (B) parents. Members~~  
12 ~~selected pursuant to paragraph (2) of subdivision (a) shall not be~~  
13 ~~included in the parity calculation.~~

14 (2) ~~At the secondary level the schoolsite council shall be~~  
15 ~~constituted to ensure parity between: (A) the principal, classroom~~  
16 ~~teachers, and other school personnel; and (B) equal numbers of~~  
17 ~~parents and pupils. Members selected pursuant to paragraph (2)~~  
18 ~~of subdivision (a) shall not be included in the parity calculation.~~

19 (3) ~~At both the elementary and secondary levels, classroom~~  
20 ~~teachers shall comprise the majority of persons represented under~~  
21 ~~category (A):~~

22 (d) ~~Existing schoolwide advisory groups or school support~~  
23 ~~groups may be utilized as the schoolsite council if those groups~~  
24 ~~conform to this section.~~

25 (e) ~~The Superintendent shall provide several examples of~~  
26 ~~selection and replacement procedures that may be considered by~~  
27 ~~schoolsite councils.~~

28 (f) (1) ~~An employee of a school who is also a parent or guardian~~  
29 ~~of a pupil who attends a school other than the school of the parent's~~  
30 ~~or guardian's employment, is not disqualified by virtue of this~~  
31 ~~employment from serving as a parent representative on the~~  
32 ~~schoolsite council established for the school that the employee's~~  
33 ~~child or ward attends:~~

34 (2) ~~An employee of a school who is also a parent or guardian~~  
35 ~~of a pupil who attends a school shall not serve as a member of the~~  
36 ~~schoolsite council at the school that the employee's child or ward~~  
37 ~~attends. The employee may serve as a schoolsite council member~~  
38 ~~at a school other than the one that his or her child attends.~~

39 (g) ~~Except for the principal, the governing board of the school~~  
40 ~~district shall set term limits for schoolsite council members.~~

1 SEC. 2. ~~Section 52853 of the Education Code is amended to read:~~  
2 ~~52853. (a) A schoolsite council shall develop a school plan~~  
3 ~~that shall include all of the following:~~

4 ~~(1) Curricula, instructional strategies, and materials responsive~~  
5 ~~to the individual needs and learning styles of each pupil.~~

6 ~~(2) Instructional and auxiliary services to meet the special needs~~  
7 ~~of non-English-speaking or limited-English-speaking pupils,~~  
8 ~~including instruction in a language these pupils understand,~~  
9 ~~educationally disadvantaged pupils, low-income pupils, pupils in~~  
10 ~~foster care, gifted and talented pupils, and pupils with exceptional~~  
11 ~~needs.~~

12 ~~(3) A staff development program for teachers, other school~~  
13 ~~personnel, paraprofessionals, and volunteers, including those~~  
14 ~~participating in special programs. Staff development programs~~  
15 ~~may include the use of program guidelines that have been~~  
16 ~~developed by the Superintendent for specific learning disabilities,~~  
17 ~~including dyslexia, and other related disorders. The strategies~~  
18 ~~included in the guidelines and instructional materials that focus~~  
19 ~~on successful approaches for working with pupils who have been~~  
20 ~~prenatally substance exposed, suffered trauma, as well as other~~  
21 ~~at-risk pupils, may also be provided to teachers.~~

22 ~~(4) Ongoing evaluation of the educational program of the school.~~

23 ~~(5) Other activities and objectives as established by the~~  
24 ~~schoolsite council.~~

25 ~~(6) The proposed expenditures of funds available to the school~~  
26 ~~through the programs described in Section 52851. For purposes~~  
27 ~~of this subdivision, proposed expenditures of funds available to~~  
28 ~~the school through the programs described in Section 52851 shall~~  
29 ~~include, but not be limited to, salaries and staff benefits for persons~~  
30 ~~providing services for those programs.~~

31 ~~(7) The proposed expenditure of funds available to the school~~  
32 ~~through the federal Improving America's Schools Act of 1994~~  
33 ~~(IASA) (20 U.S.C. Sec. 6301 et seq.) and its amendments. If the~~  
34 ~~school operates a state-approved schoolwide program pursuant to~~  
35 ~~Section 6314 of Title 20 of the United States Code in a manner~~  
36 ~~consistent with the expenditure of funds available to the school~~  
37 ~~pursuant to Section 52851, employees of the schoolwide program~~  
38 ~~may be deemed funded by a single cost objective.~~



1     ~~(8) (A) Mechanisms to ensure that the objectives in the school~~  
2     ~~district's local control and accountability plan are being adhered~~  
3     ~~to.~~

4     ~~(B) The governing board of a school district shall ensure that~~  
5     ~~schoolsite council members receive adequate training to implement~~  
6     ~~the objectives contained in the school district's local control and~~  
7     ~~accountability plan and existing provisions of law.~~

8     ~~(b) The schoolsite council shall annually review the school plan;~~  
9     ~~establish a new budget, and if necessary, make other modifications~~  
10    ~~in the plan to reflect changing needs and priorities.~~